



# LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40203 TELEPHONE (502) 587-5235

LAW DEPARTMENT

July 18, 1979

DAVID M. YEARWOOD  
GENERAL ATTORNEY

Mr. H. G. Homme, Jr.  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

RECORDATION NO. 2661-204A015  
JUL 23 1979 - 11 15 AM JUL 23 1979  
INTERSTATE COMMERCE COMMISSION

Dear Mr. Secretary:

There is transmitted to you herewith for filing and recordation, pursuant to Section 20c of the Interstate Commerce Act, five duly executed counterparts of an Agreement of Partial Release dated as of May 1, 1979, between Florida National Bank and Trust Company at Miami, as Agent, whose address is P. O. Box 470, Miami, Florida 33101, and Trust Company Bank, whose address is P. O. Drawer 4418, Atlanta, Georgia 30302.

This Agreement of Partial Release relates to that Reconstruction and Conditional Sale Agreement dated as of June 1, 1972, among Florida National Bank and Trust Company at Miami, as Agent, Louisville and Nashville Railroad Company, L&N Investment Corporation and Trust Company Bank (successor to Trust Company of Georgia), and that Lease of Railroad Equipment dated as of June 1, 1972, between Trust Company Bank (successor to Trust Company of Georgia) and and Louisville and Nashville Railroad Company, which were filed and recorded with the Interstate Commerce Commission on July 25, 1972, and assigned Recordation Nos. 6661 and 6661-B, respectively.

By this Agreement of Partial Release, Florida National Bank and Trust Company at Miami, as Agent, released from the terms and conditions of said Conditional Sale Agreement, and Trust Company Bank released from the terms and conditions of said Lease of Railroad Equipment, the following equipment:

Nine (9) 50-ton 40' 6" box cars bearing the Louisville and Nashville Railroad Company's road numbers 10961, 10977, 11005, 11031, 11039, 11186, 90017, 90247 and 90250,

Two (2) 50-ton 50' 6" box cars bearing the Louisville and Nashville Railroad Company's road numbers 109537 and 109559, and

2661-204A015

Three (3) 70-ton open top hopper cars bearing the Louisville and Nashville Railroad Company's road numbers 75012, 75130 and 75142,

which have suffered Casualty Occurrences and for which payment of the Casualty Value has been made.

Attached hereto is a draft in the amount of \$10 payable to the Treasurer of the United States to cover the recordation fee for said Agreement of Partial Release.

This letter of transmittal is signed by an officer of Louisville and Nashville Railroad Company designated for the purpose hereof who has knowledge of the matters set forth herein.

After recordation, please return the recorded counterparts to:

Mr. David M. Yearwood  
General Attorney  
Louisville and Nashville Railroad Company  
908 West Broadway  
Louisville, Kentucky 40203.

Respectfully yours,

Louisville and Nashville Railroad Company

By David M. Yearwood  
David M. Yearwood  
General Attorney

Attachments

Interstate Commerce Commission  
Washington, D.C. 20423

7/23/79

OFFICE OF THE SECRETARY

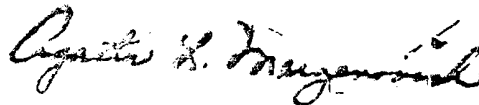
David M. Yearwood  
Louisville & Nashville RR. Co.  
908 West Broadway  
Louisville, Kentucky 40203

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C.

11303, on 7/23/79 at 11:15am, and assigned recordation number(s). 6661-J

Sincerely yours,



Secretary

Enclosure(s)

SE-30  
(3/79)

RECORDATION NO. 6661-B Filed 1975

Counterpart No. 1  
Of 5 Counterparts

JUL 23 1979 - 11 15 AM

AGREEMENT OF ~~INTERSTATE COMMERCE COMMISSION~~ of May 1, 1979 among  
FLORIDA NATIONAL BANK AND TRUST COMPANY AT MIAMI, as Agent, and TRUST  
COMPANY BANK.

WITNESSETH:

WHEREAS, by a Reconstruction and Conditional Sale Agreement dated as of June 1, 1972 (hereinafter called the Conditional Sale Agreement) among Florida National Bank and Trust Company at Miami, as Agent (therein and hereinafter called the Vendor), Louisville and Nashville Railroad Company (hereinafter called the Lessee), L&N Investment Corporation (therein and hereinafter called the Builder) and Trust Company Bank, the Vendor agreed to sell to Trust Company Bank its interest in the railroad equipment described in Schedule A thereto (hereinafter called the Equipment) after it has been reconstructed by the Builder;

WHEREAS, by a Lease of Railroad Equipment dated as of June 1, 1972 (hereinafter called the Lease) between Trust Company Bank (therein and hereinafter called the Lessor) and the Lessee, the Lessor leased the Equipment to the Lessee subject to the rights of the Vendor under the Conditional Sale Agreement;

WHEREAS, the Conditional Sale Agreement was filed and recorded with the Interstate Commerce Commission, pursuant to Section 20c of the Interstate Commerce Act, on July 25, 1972 and assigned Recordation No. 6661;

WHEREAS, the Lease was filed and recorded with the Interstate Commerce Commission, pursuant to Section 20c of the Interstate Commerce Act, on July 25, 1972 and assigned Recordation No. 6661-B;

WHEREAS, nine (9) 50-ton 40' 6" box cars bearing the Lessee's road numbers 10961, 10977, 11005, 11031, 11039, 11186, 90017, 90247 and 90250, two (2) 50-ton 50' 6" box cars bearing the Lessee's road numbers 109537 and 109559, and three (3) 70-ton open top hopper cars bearing the Lessee's road numbers 75012, 75130 and 75142 (hereinafter called the Casualty Units), subject to the Conditional Sale Agreement and Lease, have suffered Casualty Occurrences;

WHEREAS, the Lessee has paid to the Lessor, pursuant to Section 6 of the Lease, the Casualty Value of the Casualty Units;

WHEREAS, the Lessor, as Vendee under the Conditional Sale Agreement, has paid to the Vendor, pursuant to Article 6 of the Conditional Sale Agreement, the Casualty Value of the Casualty Units;

WHEREAS, the Lessor, as Vendee under the Conditional Sale Agreement, is entitled to receive from the Vendor this instrument confirming passage to the Lessor of the Vendor's right, title and interest in the Casualty Units and the release of the Casualty Units from the terms and conditions of the Conditional Sale Agreement; and

WHEREAS, the Lessee is entitled to receive from the Lessor this instrument confirming passage to the Lessee of the Lessor's right, title and interest in the Casualty Units and the release of the Casualty Units from the terms and conditions of the Lease;

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements hereinafter set forth, the parties hereto do hereby agree as follows:

The Vendor does hereby bargain, sell, assign, transfer and set over to the Lessor its right, title and interest in the Casualty Units and does hereby release the Casualty Units from the terms and conditions of the Conditional Sale Agreement.

The Lessor does hereby bargain, sell, assign, transfer and set over to the Lessee its right, title and interest in the Casualty Units and does hereby release the Casualty Units from the terms and conditions of the Lease.

This instrument may be executed in two or more counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

IN WITNESS WHEREOF, the parties hereto have executed or caused this instrument to be executed as of the date first above written.

FLORIDA NATIONAL BANK AND TRUST COMPANY AT MIAMI,  
as Agent

By Robert F. Stamp  
V.P.

(Corporate Seal)

ATTEST:

John E. Tilton  
A.V.P.

TRUST COMPANY BANK

By

Vice President

(Corporate Seal)

ATTEST:

Suzanne K. Halsall

STATE OF FLORIDA )

) SS:

COUNTY OF DADE )

On this 17<sup>th</sup> day of July, 1979, before me personally appeared Robert F. Stamp, to me personally known, who, being by me duly sworn, says that he is Vice President of Florida National Bank and Trust Company at Miami,\* that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Ernest M. Loe  
Notary Public

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES APR 23 1980  
BONDED THROUGH GENERAL INS UNDERWRITERS

My Commission expires

(Notarial Seal)

\*N/K/A Florida National Bank of Miami

STATE OF GEORGIA )  
 ) SS:  
COUNTY OF FULTON )

On this 9th day of July, 1979, before me personally appeared Richard T. Smith to me personally known, who, being by me duly sworn, says that he is Vice President of Trust Company Bank, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Suzanne K. Halsall  
Notary Public

My Commission expires \_\_\_\_\_  
Notary Public, Georgia State at Large  
My Commission Expires Jan. 9, 1981

(Notarial Seal)